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Client Matter#: 18903-2301

From: Stephen B. Deutsch

Sender's Number: 617-832-1118

User #: 6674

Total Pages Sent (Including Cover Sheet): 12

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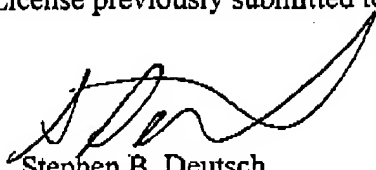
**Message**

Re: U.S. Patent Application No. 10/633,177  
Filed: August 1, 2003  
Attorney Docket No. STE-023.01

Dear Sir or Madam:

Enclosed are the following:

- 1) Status Inquiry (1 page); and
- 2) Petition for Retroactive Foreign Filing License previously submitted to the PTO on December 17, 2003 (10 pages).

  
Stephen B. Deutsch  
Registration No. 46,663

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USPTO 12/17/2003 3:09 PM PAGE 1/001 Fax Server  
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Page  
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12/17/2003 15:04	617-832-7000	FOLEY HOAG LLP	PAGE 01/08
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Date: December 17, 2003

U.S. Patent & Trademark  
 To: Office of Petitions Fax #: (703) 872-8306 Confirm:

Client Matter#: STE-023.01 (18903-2201)

From: Jeffrey M. Seare Sender's Number: 3022 User #:

Total Pages Sent (including Cover Sheet): 8 Office: Boston

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Message

**OFFICIAL COMMUNICATION**  
**OFFICE OF PETITIONS**

Re: U.S. Patent Application No. 10/635,177  
 Filed: August 1, 2003  
 Attorney Docket No.: STE-023.01 (18903-2201)

Dear Sir or Madam:

Enclosed are the following:

1. Transmittal Form with Certificate of Facsimile Transmission (1 page);
2. Fee Transmittal Form (in duplicate) (2 pages total);
3. Petition for Restorative Foreign Filing License (5 pages);
4. Affidavit of Dipl.-Phys. Dr. H.-H. Stroffregen (1 page); and
5. This fax cover sheet (1 page).

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PAGE 03 \* RCVD AT 12/17/2003 3:06:03 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DNIS:8729306 \* CSID:617 832 7000 \* DURATION (mm-ss):03-42

## JOB STATUS REPORT

TIME : 12/17/2003 15:47  
NAME : FOLEY HOAG LLP  
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DATE, TIME  
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HOAG** LLP  
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**Fax**

Date: December 17, 2003

U.S. Patent & Trademark

To: Office: Office of Petitions Fax #: (703) 872-9306

Confirm#:

Client Matter#: STE-023.01 (18903-2301)

From: Jeffrey M. Sears

Sender's Number: 3022

User #:

Total Pages Sent (including Cover Sheet): 8

Office: Boston

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**OFFICIAL COMMUNICATION**  
**OFFICE OF PETITIONS**

Re: U.S. Patent Application No. 10/633,177

Filed: August 1, 2003

Attorney Docket No.: STE-023.01 (18903-2301)

Dear Sir or Madam:

Enclosed are the following:

1. Transmittal Form with Certificate of Facsimile Transmission (1 page):

PAGE 4/12 \* RCVD AT 1/5/2005 3:06:03 PM [Eastern Standard Time] \* SVR:USPTO-EFAXF-1/2 \* DNIS:8729306 \* CSID:617 832 7000 \* DURATION (mm-ss):03-42



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Date: December 17, 2003

U.S. Patent & Trademark

To: Office: Office of Petitions Fax #: (703) 872-9306 Confirm#:

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Attorney Docket No.: STE-023.01 (18903-2301)

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5. This fax cover sheet (1 page).

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PTO/SB/21 (08-00)

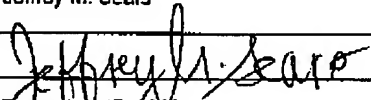
Approved for use through 10/31/2002. OMB 0651-0031

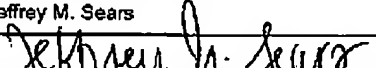
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/633,177	
	Filing Date	August 1, 2003	
	First Named Inventor	Kevin Gordon Jr.	
	Group Art Unit	1734	
	Examiner Name	Not Yet Assigned.	
Total Number of Pages in This Submission	8	Attorney Docket Number	STE-023.01 (18903-2301)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Appointment of Power of Attorney and Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition for Retroactive Foreign Filing License; Affidavit of Dipl.-Phys. Dr. H.-H. Stoffregen; Fax Cover Sheet.
Remarks	Customer Number 25,181	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jeffrey M. Sears
Signature	
Date	December 17, 2003

CERTIFICATE OF MAILING			
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Typed or printed name	Jeffrey M. Sears	Date	December 17, 2003
Signature		Date	December 17, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130

## Complete if Known

Application Number 10/633,177  
 Filing Date August 1, 2003  
 First Named Inventor Kevin Gordon, Jr.  
 Examiner Name Not Yet Assigned  
 Art Unit 1734  
 Attorney Docket No. STE-023.01 (18803-2301)

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
 Order

☐ Deposit Account

Deposit Account Number 06-144\$ Ref. STE-023.01 (18093-2301)

Deposit Account Name Foley Hoag LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims -20\*\* = 0 X Fee from below = 0  
 Independent Claims -3\*\* = 0 X Fee from below = 0  
 Multiple Dependent X Fee from below = 0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,620	1812	2,620	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1482	110	2482	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Jerry M. Sears	Registration No. (Attorney/Agent)	48,440	Telephone	(617) 832-1000
Signature	<i>Jerry M. Sears</i>	Date	December 17, 2003		

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FEE TRANSMITTAL for FY 2004		Complete if Known	
Effective 10/01/2003. Patent fees are subject to annual revision.		Application Number	10/633,177
		Filing Date	August 1, 2003
		First Named Inventor	Kevin Gordon, Jr.
		Examiner Name	Not Yet Assigned
		Art Unit	1734
		Attorney Docket No.	STE-023.01 (18903-2301)
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$)		130	

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																			
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES																																																																																																																																																																																			
<input type="checkbox"/> Deposit Account: Deposit Account Number: 08-1448; Ref. STE-023.01 (18903-2301) Deposit Account Name: Foley Hoag LLP		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>85</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>60</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>2255</td> <td>1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>330</td> <td>2401</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - 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The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.																																																																																																																																																																																					
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\*or number previously paid, if greater. For Reissues, see above

\*Reduced by Basic Filing Fee Paid    SUBTOTAL (3) (\$130)

SUBMITTED BY		Complete if applicable	
Name (Print/Type)	Jeffrey M. Sears	Registration No. (Attorney/Agent)	48,440
Signature	<i>Jeffrey M. Sears</i>	Telephone	(617) 832-1000
		Date	December 17, 2003

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Kevin Gordon	)	
Serial No.: 10/633,177	)	Group Art Unit: 1734
Filed: August 1, 2003	)	Examiner: Not Yet Assigned
For: Systems and Methods for Welding of Parts	)	Attorney Docket No.: STE-023.01

**PETITION FOR RETROACTIVE FOREIGN FILING LICENSE  
PURSUANT TO 37 C.F.R. §§ 5.14(a) AND 5.25****RECEIVED  
CENTRAL FAX CENTER**

JAN 05 2005

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 5.14(a) and 5.25, Applicant hereby petitions for a foreign filing license retroactive to April 30, 2003.

Pursuant to 37 C.F.R. § 5.25(a)(1)-(4), Applicant declares:

1. A foreign filing license was granted in the present application on October 29, 2003.
2. A first application directed to the invention of the present application was filed in Germany on April 30, 2003 and assigned German serial number 10319797.4.
3. A second application directed to the invention of the present application was filed in Germany on May 27, 2003 and assigned German serial number 10324094.2.
4. A third application directed to the invention of the present application was filed in Canada on August 19, 2003 and assigned Canadian serial number 2437647.

20/569099.01



5. A fourth application directed to the invention of the present application was filed in Mexico on September 25, 2003 and assigned Mexican serial number 2003/008724.

6. The subject matter of the present application was not under a secrecy order at the time the applications referred to in paragraphs 2 and 3 were filed in Germany.

7. The subject matter of the present application was not under a secrecy order at the time the application referred to in paragraph 4 was filed in Canada.

8. The subject matter of the present application was not under a secrecy order at the time the application referred to in paragraph 5 was filed in Mexico.

9. The subject matter of the present application is not currently under a secrecy order.

10. Applicant's Attorney first became aware of the proscribed nature of the applications referred to in paragraphs 2-5 on or about December 1, 2003. Specifically, Applicant's Attorney first became aware on or about December 1, 2003 that the invention of the present application and the applications referred to in paragraphs 2-5 was made in the United States.

11. As stated in the accompanying Affidavit of Dipl.-Phys. Dr. H.-H. Stoffregen, the applications referred to in paragraphs 2 and 3 were filed through error and without deceptive intent.

12. The applications referred to in paragraphs 4 and 5 were filed through error and without deceptive intent by Applicant's Attorney. At the time of filing the applications, Applicant's Attorney was not aware of the proscribed nature of the applications referred to in paragraphs 4 and 5. Specifically, at the time of filing the applications, Applicant's Attorney was not aware that the invention of the present application and the applications referred to in paragraphs 4 and 5 was made in the United States.

13. Based on paragraphs 1-12 herein and pursuant to 37 C.F.R. §§ 1.17(h) and 5.25(a)(4), Applicant provides a petition fee in the amount of \$130.00.

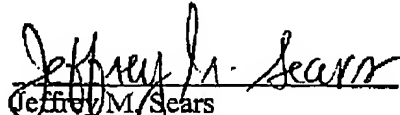
Accordingly, Applicant respectfully requests that a foreign filing license retroactive to April 30, 2003 be granted in the present application.

Applicant's Attorney does not believe that any additional extension of time or any additional fees are required for consideration of this paper, beyond those which may otherwise be provided for in accompanying documents. Should any additional extension of time or additional fees be required for timely consideration of this paper, however, Applicants' Attorney hereby petitions for same and requests that the extension fee and any other fee required for timely consideration be charged to **Deposit Account No. 06-1448, Reference STE-023.01.**

Further, Applicants' Attorney hereby authorizes the Commissioner to credit any overpayment to **Deposit Account Number 06-1448, Reference STE-023.01.**

Respectfully submitted,  
FOLEY HOAG LLP

Date: 12/17/03

  
Jeffrey M. Sears  
Reg. No. 48,440  
Attorney for the Applicant

Customer No. 25,181  
Patent Group  
Foley Hoag LLP  
155 Seaport Blvd.  
Boston, MA 02210  
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